

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

JUXTACOMM-TEXAS SOFTWARE, LLC

PLAINTIFF,

v.

AXWAY, INC., *et. al.*

DEFENDANTS.

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Civil Action No. 6:10-CV-00011-LED

**JURY DEMAND**

**PLAINTIFF’S TRIAL WITNESS LIST**

Plaintiff, JuxtaComm-Texas Software, LLC (“JuxtaComm”), pursuant to the Court’s Docket Control Order entered in this case, files this Trial Witness List for identification and categorization of trial witnesses. JuxtaComm reserves the right to call any witness appearing on any opening or rebuttal trial witness lists filed by the Defendants. JuxtaComm includes in its Trial Witness List individuals who may be listed on the Defendants’ opening and rebuttal witness lists without waiving any right to object to Defendants’ presentation of such witnesses at trial, without waiving any objections to the admissibility of the testimony and without waiving the right to move to exclude the testimony. JuxtaComm reserves the right to amend and/or supplement this list to the extent permitted by the Federal Rules of Civil Procedure, by the Local Rules or by Order of this Court.

At this time, JuxtaComm identifies the following witnesses for trial:

<b>WITNESS</b>	<b>WILL CALL LIVE</b>	<b>MAY CALL LIVE OR BY DEPOSITION</b>	<b>MAY, BUT PROBABLY WILL NOT CALL LIVE OR BY DEPOSITION</b>
1. Akamai Technologies		✓	
2. David Benton		✓	
3. Sheldon Borkin		✓	
4. David Brown	✓		
5. John Brown		✓	
6. Heath Brownsworth		✓	
7. Justin Brunt		✓	
8. Lou Castaldo		✓	
9. Peter Crummey	✓		
10. Michael Dansky	✓		
11. Paul Dingman		✓	
12. Lou Dora		✓	
13. Michael Doyle	✓		
14. Darin Ellis	✓		
15. John Farr		✓	
16. Henry Feldman		✓	
17. Eileen Fitzsimmons		✓	
18. Flexera Software		✓	
19. James Goodnight		✓	
20. Alvin Horn		✓	
21. Michael Hoskins		✓	
22. Collin Jow		✓	
23. Lee Kilmer		✓	
24. Eric Kneer		✓	
25. John Knill		✓	
26. James Knox		✓	
27. Matthew Langdon		✓	
28. Rick Langston		✓	
29. Sal LaRosa		✓	
30. Brent Laster		✓	
31. Scott McKeown		✓	
32. Jaime Meritt		✓	
33. Ken Prather		✓	
34. James Rettew		✓	
35. Nancy Rausch		✓	
36. Craig Rubendall		✓	
37. Walter Rudd	✓		
38. Dale Skeen		✓	
39. Gail Stephens		✓	
40. John Stewart		✓	

WITNESS	WILL CALL LIVE	MAY CALL LIVE OR BY DEPOSITION	MAY, BUT PROBABLY WILL NOT CALL LIVE OR BY DEPOSITION
41. Marthe Theodore		✓	
42. Kevin Thompson		✓	
43. Paul Tomita		✓	
44. Gordon Van Hizen		✓	
45. Lane Williams		✓	
46. Rick Williams		✓	
47. Any witnesses called by Defendants		✓	

Dated: September 12, 2011

AKIN GUMP STRAUSS HAUER & FELD LLP

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— and —

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**ATTORNEYS FOR PLAINTIFF**  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 12, 2011, the foregoing **PLAINTIFF'S TRIAL WITNESS LIST** was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1).



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R. LAURENCE MACON